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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,494	04/25/2001	Hyon T. Kim	5181-68400	9278

7590 08/13/2004
Robert C. Kowert
Conley, Rose & Tayon, P.C.
P.O. Box 398
Austin, TX 78767

EXAMINER

PATEL, NIKETA I

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 08/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/843,494

Applicant(s)

KIM, HYON T.

Examiner

Niketa I. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Fritz M. Fleming
FRITZ FLEMING
PRIMARY EXAMINER
GROUP 2100

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/15-1/21/03 1/11/
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 5-17, 19-21, 23-25, 27-31, 33-35 and 37-49 are rejected under 35 U.S.C. 102(b) as being anticipated by Schettler et al. U.S. Patent Number: 5,872,932 (hereinafter referred to as "*Schettler*".)

4. **Referring to claims 1, 19, 33,** *Schettler* teaches a method for managing accessibility of fabric devices from a host system, comprising: storing a plurality of configuration repositories [see column 6 - lines 1-4, 'data bases (topology and map)'], wherein each one of said plurality of configuration repositories identifies one or more fabric devices [see column 6 - lines 24-33]; receiving a request to online fabric devices according to a

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specified one of said plurality of configuration repositories [see column 6 - lines 59-67 and column 7 - lines 1-4, 'on-demand' and column 14 - lines 48-61]; accessing the specified configuration repository [see column 6 - lines 24-33]; and requesting a configuration operation to online, for the host system, one or more of the fabric devices identified in the specified configuration repository [see column 2 - lines 29-36, column 6 - lines 34-58 and column 7 - lines 55-63.]

5. **Referring to claims 2, 20, 34,** *Schettler* teaches wherein said requesting a configuration operation comprises requesting a fabric driver to create an operating system node for each identified fabric device not already online and requested to be brought online [see column 6 - lines 24-58.]

6. **Referring to claims 3, 21, 35,** *Schettler* teaches wherein said requesting a configuration operation comprises: indicating a desired configuration status for each fabric device identified in the specified configuration repository [see column 6 - lines 59-67 and column 7 - lines 1-4]; requesting a fabric driver to create an operating system node for each identified fabric device not already online whose desired configuration status is configure [see column 7 - lines 21-48 and column 9 - lines 38-48]; and requesting a fabric driver to deactivate or delete an operating system node for each identified fabric device whose

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desired configuration status is unconfigure [see column 7 - lines 21-54 and column 9 - lines 38-48.]

7. **Referring to claims 5, 23, 37,** *Schettler* teaches wherein said requesting a configuration operation comprises requesting a fabric driver to verify the availability of each identified fabric device on the fabric [see column 7 - lines 21-48.]

8. **Referring to claims 6, 27, 38,** *Schettler* teaches further comprising creating one of said configuration repositories by: receiving a request for a list of fabric devices available to a host system [see column 6 - lines 59-67 and column 7 - lines 1-4]; providing said list in response to the request [see column 6 - lines 24-58]; receiving an indication of selected fabric devices from said list [see column 6 - lines 59-67 and column 7 - lines 1-4]; and creating one of said plurality of configuration repositories for identifying the selected fabric devices [see column 6 - lines 24-58.]

9. **Referring to claims 7, 39,** *Schettler* teaches wherein said creating one of said configuration repositories further comprises requesting a configuration operation to configure for the host system the selected fabric devices from said list according to their indicated desired configuration status [see column 6 - lines 59-67 and column 7 - lines 1-4.]

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10. **Referring to claims 8, 40,** *Schettler* teaches the method as recited in claim 6, wherein said providing said list comprises obtaining said list from a fabric driver [see column 5 - lines 65-67 and column 6 - lines 1-11, 'operating system and conventional network software'.]

11. **Referring to claims 9, 28, 41,** *Schettler* teaches the method as recited in claim 6, wherein said providing said list comprises displaying said list to a user [see 5 column - lines 62-65, 'display' and column 8 - lines 25-36.]

12. **Referring to claims 10, 29, 42,** *Schettler* teaches further comprising modifying one of said configuration repositories by: providing entries from a specified one of said configuration repositories [see column 8 - lines 46-67, column 9 - lines 1-10, 26-48]; receiving a request to delete an entry for one of the fabric devices identified in the specified configuration repository [see column 4 - lines 11-36, column 8 - lines 46-67, column 9 - lines 1-10, 26-48]; and in response to said request to delete, updating the specified one of said configuration repositories to delete said entry [see column 8 - lines 46-67, column 9 - lines 1-10, 26-48.]

13. **Referring to claims 11, 30, 43,** *Schettler* teaches further comprising modifying one of said configuration repositories by: providing entries from a specified one of said configuration

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repositories [see column 8 - lines 46-67, column 9 - lines 1-10, 26-48]; receiving a request to change the desired configuration status for one of the fabric devices identified in the specified configuration repository [see column 8 - lines 46-67, column 9 - lines 1-10, 26-48]; and in response to said request to change the desired configuration status, updating the specified one of said configuration repositories to indicate the requested change to the desired configuration status [see column 8 - lines 46-67, column 9 - lines 1-10, 26-48.]

14. **Referring to claims 12, 44,** *Schettler* teaches wherein said modifying one of said configuration repositories further comprises requesting a fabric driver to verify the availability on the fabric of each fabric device identified in the modified configuration repository [see column 9 - lines 26-48.]

15. **Referring to claims 13, 45,** *Schettler* teaches wherein said modifying one of said configuration repositories further comprises requesting a fabric driver to create an operating system node for each fabric device not already online whose desired configuration status is configure [see column 4 - lines 11-36, see column 6 - lines 59-67 and column 7 - lines 1-4.]

16. **Referring to claims 14, 46,** *Schettler* teaches further comprising modifying one of said configuration repositories by: providing a list of fabric devices available to the host system

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[see column 6 - lines 1-4, 'data bases (topology and map)']; receiving an indication of one or more selected fabric devices from said list with desired configuration status for each selected fabric device to be added to a specified one of said configuration repositories [see column 6 - lines 59-67 and column 7 - lines 1-4]; and updating the specified one of said configuration repositories to add entries for each selected fabric device [see column 8 - lines 46-67, column 9 - lines 1-10, 26-48.]

17. **Referring to claims 15, 47,** *Schettler* teaches wherein said modifying one of said configuration repositories further comprises requesting a fabric driver to verify the availability on the fabric of each fabric device identified in the modified configuration repository prior to said updating [see column 9 - lines 26-48.]

18. **Referring to claims 16, 48,** *Schettler* teaches wherein said modifying one of said configuration repositories further comprises requesting a fabric driver to create an operating system node for each fabric device not already online whose desired configuration status is to be configured for the modified configuration repository [see column 4 - lines 11-36, see column 6 - lines 59-67 and column 7 - lines 1-4.]

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19. **Referring to claims 17, 31, 49,** *Schettler* teaches wherein one of said plurality of configuration repositories is a persistent repository indicating a default fabric device configuration for the host system [see column 4 - lines 11-36.]

20. **Referring to claim 24,** *Schettler* teaches wherein said standard interface for verifying is configured to, in response to a verification request specifying one of said configuration repositories, request said fabric driver to verify the availability on the fabric of the fabric devices identified in the specified configuration repository [see column 7 - lines 21-63 and column 9 - lines 25-48.]

21. **Referring to claim 25,** *Schettler* teaches wherein said fabric driver is configured to, in response to said request to verify, access a fabric name server to determine availability of the fabric devices identified in the specified configuration repository [see column 7 - lines 21-63, 'topology data- device address'.]

Claim Rejections - 35 USC § 103

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

23. Claims 4, 22 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schettler et al. U.S. Patent Number: 5,872,932 (hereinafter referred to as "*Schettler*") and further in view of Tonelli et al. U.S. Patent Number: 6,229,540 (hereinafter referred to as "*Tonelli*".)

24. **Referring to claim 4, 22, 36,** *Schettler* teaches to requesting a fabric driver to deactivate or delete an operating system node [see *Schettler* column 4 - lines 11-36, column 8 - lines 46-67, column 9 - lines 1-10, 26-48] however does not set forth the limitation of receiving a warning that one of the identified fabric devices whose desired configuration status is unconfigure is in-use for the host system and in response to said receiving a warning, canceling deactivation or deletion of the operating system node for the in-use fabric device. *Tonelli* teaches the above limitation [see *Tonelli* column 11 - lines 41-51] to prevent system malfunction.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention that it was old and well know in the computer art to get the advantage of preventing

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system malfunction by providing a warning indication when a device that is in use is being deleted. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include a warning that one of the identified fabric devices whose desired configuration status is unconfigure is in-use for the host system and canceling deactivation or deletion of the operating system node for the in-use fabric device to get this advantage.

25. Claims 18, 32 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schettler et al. U.S. Patent Number: 5,872,932 (hereinafter referred to as "*Schettler*") and further in view of Anderson U.S. Patent Number: 5,974,546 (hereinafter referred to as "*Anderson*".)

26. **Referring to claims 18, 32, 50, *Schettler*** teaches further comprising modifying one of said configuration repositories [see *Schettler* column 8 - lines 46-67, column 9 - lines 1-10, 26-48] however does not set forth the limitation of in response to a reboot of the host system, reading said persistent repository and requesting a configuration operation to configure for the host system the fabric devices identified in the persistent repository according to said default fabric device configuration. *Anderson* teaches the above limitation [see

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Anderson column 2 - lines 31-42] to allow the system to reconfigure itself after a system changes such as a reboot of a host system.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention that it was old and well known in the computer art to get the advantage of being able to use default configuration in order to allow the system to reconfigure itself after system changes such as reboot of a host system. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include reading said persistent repository and requesting a configuration operation to configure for the host system the fabric devices identified in the persistent repository according to said default fabric device configuration to get this advantage.

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27. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schettler et al. U.S. Patent Number: 5,872,932 (hereinafter referred to as "*Schettler*") and further in view of Williams et al. U.S. Patent Number: 6,344,862 (hereinafter referred to as "*Williams*".)

28. **Referring to claim 26**, *Schettler* teaches to verify the availability on the fabric of the fabric devices identified in

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the specified configuration repository [see column 7 - lines 21-63 and column 9 - lines 25-48] however, does not set forth the limitation of wherein if one of the fabric devices is determined not to be available in response to said verification request, said fabric configuration interface is configured to obtain a list of available fabric devices from the fabric driver for selecting a replacement for the unavailable fabric device.

Williams teaches the above limitations [see *Williams* column 5 - lines 14-25] in order to provide a user with alternate means of completing a job.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include means for determining alternate devices to be used in case of a primary device malfunctions in order to provide a user with alternate means of completing a job. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include a list of available fabric devices from the fabric driver for selecting a replacement for the unavailable fabric device to provide a user with alternate means of completing a job.

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Conclusion

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Odenwald et al. U.S. Patent Number: 6,728,789

Ricciulli U.S. Patent Number: 6,473,405

Srinivasan et al. U.S. Patent Number: 6,304,549

Shah et al. U.S. Patent Number: 6,694,361

Lin et al. U.S. Patent Number: 6,748,459

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Niketa I. Patel whose telephone number is (703) 305 4893. The examiner can normally be reached on M-F 8:00 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (703) 308 3301. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NP
08/04/2004

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